

Deputy Director For Requirements and Evaluation
Intelligence Community Staff
Washington, D.C. 20505

~~EYES ONLY~~
ICS 7206-88
9 December 1988



MEMORANDUM FOR: See Distribution

SUBJECT: Procedures for Ensuring the Proper Dissemination of
Temporarily Restricted Intelligence Reporting

1. Attached for your review and comment by 20 December 1988 is a draft set of procedures to be followed by intelligence agencies when there is need on occasion to temporarily restrict routine dissemination of intelligence reporting data because of highly sensitive US foreign policy considerations (Attachment A).

2. The Director of Central Intelligence (DCI) requested that these procedures be developed (see Attachment B) after reading our evaluation of the Intelligence Community's performance. That evaluation made clear that problems and misunderstandings arose in the Community when restrictions were temporarily applied, somewhat clumsily in the view of some people, to the dissemination of reporting.

3. These proposed procedures are designed with several key ideas in mind. One is that the procedures fit with minimal (if any) changes to existing reporting activities. Another idea is to ensure that, on those rare occasions when such restrictions need to be applied to any intelligence reporting, those Intelligence Community elements with a clear need to know receive at least one copy of the restricted reporting. We hope that having an agreed set of procedures in place before a similar situation arises in the future will lessen the chances for repeated difficulties.

4. The DCI has requested that a final version of these procedures be ready for his approval by 1 January 1989. Because we also would like to provide an opportunity for General Heinz to engage the National Foreign Intelligence Board, we ask that you telephone any major comments on behalf of your component head to [redacted] by 20 December 1988. If you believe that a meeting needs to be held to discuss these procedures, please advise quickly so that I can schedule one before Christmas.

5. If I can be of any further assistance, please call.

Attachments:

- A. Draft Procedures
- B. DCI Memo to NFIB, dtd 10 Nov 88

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Attachment A

D R A F T

Procedures for Ensuring the Proper Dissemination of
Certain Intelligence Reporting Affecting Key US Foreign Policy

1. On occasion, certain intelligence reporting may warrant temporary restrictions on its dissemination beyond those imposed naturally as a result of "need to know" or for protection of sensitive intelligence sources and methods. Such an occasion might arise, for example, when the information has immediate impact on the implementation or design of important US foreign policy, including perhaps reconsideration of an agreed policy. Senior US policymakers might desire or need a brief period of time to react to the new information and consider or make any necessary policy adjustments. These policymakers center in the Executive Branch, but also could conceivably include senior members of the US Congress. Under these circumstances, normal, relatively widespread dissemination of the information--perhaps leading to public disclosure--could prematurely narrow US policy opportunities and options and might severely damage US foreign policy interests.

2. These procedures are intended to cover such infrequent circumstances. They are designed with several key ideas in mind:

- a. The first is that such restrictions must be keyed to a specific on-going or intended foreign policy event or action of the US Government, and would normally be intended to last only a few days.
- b. The second is to ensure that, on those rare occasions when such restrictions need to be applied, those Intelligence Community elements with a clear need to know automatically receive at least one copy of the original and any follow-on restricted reporting.
- c. The third is to limit dissemination as much as possible beyond a few senior officials in these organizations for a relatively brief and defined period of time, unless further dissemination of some portion of the information is necessary for operational purposes--including military, diplomatic, or intelligence activities.

3. When information that meets the criteria in paragraph 1 is identified, then the following procedures apply:

- a. Temporary restrictions on routine dissemination may be ordered by the Director of Central Intelligence (DCI), the Deputy Director of Central Intelligence (DDCI), or one of the other Senior Officials of the Intelligence Community (SOIC), as defined in Executive Order 12333 and listed on the last page of these procedures (to be reviewed).
 - During normal business hours, or during non-business hours in situations involving substance of an extraordinary nature, the SOIC will attempt to advise--and seek guidance as he may judge necessary from--the DCI (or DDCI) before ordering the restrictions.

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Senior Officials of the Intelligence Community (SOICs)

For the purposes of these procedures, Senior Officials of the Intelligence Community (SOICs) are defined as the heads of organizations within the Intelligence Community, as defined by Executive Order 12333, or their designated representatives. The following designated SOICs are assigned responsibility for implementing these procedures:

- Deputy Director of Central Intelligence
- Deputy Director for Intelligence, Central Intelligence Agency
- Director, National Security Agency
- Director, Defense Intelligence Agency
- Secretary of the Air Force
- Assistant Secretary for Intelligence and Research, Department of State
- Deputy Chief of Staff for Intelligence, Department of the Army
- Director of Naval Intelligence, Department of the Navy
- Assistant Chief of Staff for Intelligence, Department of the Air Force
- Director of Intelligence, US Marine Corps
- Executive Assistant to the Director for Investigations, Federal Bureau of Investigation
- Special Assistant to the Secretary (National Security), Department of the Treasury
- Deputy Assistant Secretary for Intelligence, Department of Energy
- Director, Office of Intelligence Liaison, Department of Commerce
- Director, Intelligence Community Staff

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